

MESSAGE NO: 2214304 MESSAGE DATE: 08/01/2012

MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: LIQ-Liquidation PUBLIC ☒ NON-PUBLIC ☐
SUB-TYPE: ADRV-Administrative Review

FR CITE: 77 FR 40854 FR CITE DATE: 07/11/2012

REFERENCE
MESSAGE #
(s):

CASE #(s): A-570-929

EFFECTIVE DATE: 07/11/2012 COURT CASE #:

PERIOD OF REVIEW: 02/01/2010 TO 01/31/2011

PERIOD COVERED: TO

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: Liquidation instructions for small diameter graphite electrodes from the People's Republic of China exported by the PRC-wide entity (A-570-929)

1. For all shipments of small diameter graphite electrodes from the People's Republic of China exported by the PRC-wide entity, as listed in the company-details table appended to the bottom of this message, entered, or withdrawn from warehouse, for consumption during the period 02/01/2010 through 01/31/2011, assess an antidumping liability equal to 159.64 percent of the entered value.

2. In Commerce's final results, 77 FR 40854, 07/11/2012, Commerce determined that the following exporter is no longer eligible for a separate rate and is considered part of the PRC-wide entity:

Exporter: Jilin Carbon Import and Export Company

Therefore, CBP shall liquidate entries of small diameter graphite electrodes from the People's Republic of China which were exported by the firm listed above in this paragraph and entered, or withdrawn from warehouse, for consumption during the period 02/01/2010 through 01/31/2011 in accordance with the instructions in paragraph 1 above for the PRC-wide entity. Entries of such merchandise may have entered under the following case number:

A-570-929-008

3. The notice of lifting of suspension of liquidation for entries of subject merchandise covered by paragraphs 1 and 2 occurred with the publication of the final results of administrative review (77 FR 40854, 07/11/2012). Unless instructed otherwise, for all other shipments of small diameter graphite electrodes from the People's Republic of China, you shall continue to collect cash deposits of estimated antidumping duties for the merchandise at the current cash deposit rates or per-unit amounts.

4. There are no injunctions applicable to the entries covered by this instruction.

5. The assessment of antidumping duties by CBP on shipments or entries of this merchandise is subject to the provisions of section 778 of the Tariff Act of 1930, as amended. Section 778 requires that CBP pay interest on overpayments or assess interest on underpayments of the required amounts deposited as estimated antidumping duties. The interest provisions are not applicable to cash or bonds posted as estimated antidumping duties before the date of publication of the antidumping duty order. Interest shall be calculated from the date payment of estimated antidumping duties is required through the date of liquidation. The rate at which such interest is payable is the rate in effect under section 6621 of the Internal Revenue Code of 1954 for such period.

6. Upon assessment of antidumping duties, CBP shall require that the importer provide a reimbursement statement, as described in section 351.402(f)(2) of Commerce's regulations. The importer should provide the reimbursement statement prior to liquidation of the entry. If the importer certifies that it has an agreement with the manufacturer, producer, seller, or exporter, to be reimbursed antidumping duties, CBP shall double the antidumping duties in accordance with the above-referenced regulation. Additionally, if the importer does not provide the reimbursement statement prior to liquidation, reimbursement shall be presumed and CBP shall double the antidumping duties due. If an importer timely files a protest challenging the presumption of reimbursement and doubling of duties, consistent with CBP's protest process, CBP may accept the reimbursement statement filed with the protest to rebut the presumption of reimbursement.

7. If there are any questions by the importing public regarding this message, please contact the Call Center for the Office of AD/CVD Operations, Import Administration, International Trade Administration, U.S. Department of Commerce at (202) 482-0984. CBP ports should submit their inquiries through authorized CBP channels only. (This message was generated by O1:DV.)

8. There are no restrictions on the release of this information.

Michael B. Walsh

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party

Case #	Rate	Party Indicator*	Party ID	Party Name
A-570-929-000	159.64	E		PRC-Wide Entity